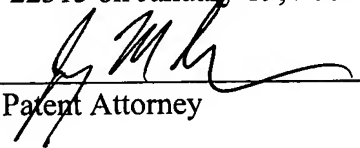



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patent, P.O. Box 1450  
Alexandria, VA 22313 on January 19, 2006.

  
Jay M. Sanders, Patent Attorney

  
ELECTION AND  
PRELIMINARY AMENDMENT  
Examining Group 1636  
Patent Application  
Docket No. DAS-101XC2  
Serial No. 10/609,113

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Gabriele E. Bugaisky, Ph.D.  
Art Unit : 1636  
Applicants : Scott Bintrim, Scott Bevan, Baolong Zhu, Donald J. Merlo  
Serial No. : 10/609,113  
Filed : June 27, 2003  
Conf. No. : 6438  
For : Pesticidally Active Proteins and Polynucleotides Obtainable from  
Paenibacillus Species

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

ELECTION AND  
PRELIMINARY AMENDMENT

Sir:

In response to the written Restriction Requirement dated December 19, 2005, Applicants hereby elect Group II (which was associated with claim 2).

Prior to examination, Applicants respectfully request that the subject application be amended as follows: